

ATTACHMENT TO INTERVIEW OF JUNE 16, 2008

Attorney has requested change in Claim 36 which has been approved by this Examiner with the follow

AMENDMENT TO CLAIMS:

Claims 16-35, 45-48 and 50-52 will be cancelled.

In Claim 36, line 1, add after “production of” the following:

----- a microbial oil comprises at least 50% -----.

In Claim 36, last line, delete after “micro-organisms” the following:

“such that arachidonic acid is produced” .

In Claim 49, line 1, delete “45” and insert in its place ---- 36 -----.

Approved by Attorney B.J. Sadoff on June 16, 2008.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HERBERT J. LILLING whose telephone number is 571-272-0918. The examiner can normally be reached on WORK AT HOME MAXIFLEX.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JON WEBER can be reached on 571-272-0925. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Art Unit **1657**
June 16, 2008

/HERBERT J LILLING/
Primary Examiner Art Unit 1657

Art Unit: 1657

EXAMINER'S AMENDMENT

An examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the Issue Fee.

AMENDMENT TO CLAIMS:

Claims 16-35, 45-48 and 50-52 have been cancelled.

In Claim 36, line 1, add after "production of" the following:

----- a microbial oil comprises at least 50% -----.

In Claim 36, last line, delete after "micro-organisms" the following:

"such that arachidonic acid is produced" .

In Claim 49, line 1, delete "45" and insert in its place ---- 36 ----.

Applicant reserves the right to file divisional(s) the non-elected cancelled claims.

Approved by Attorney B.J. Sadoff on June 16, 2008.

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Primary Examiner, Art Unit 1657

REASONS FOR ALLOWANCE

The following is an Examiner's Statement of Reasons for Allowance:

Any comments considered necessary by applicant must be submitted no later than the Payment of the Issue Fee and, to avoid processing delays, should preferably accompany the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

The references fail to anticipate nor suggest any reasons or motivations for one of ordinary skilled in the art to prepare arachidonic acid by the series of specific steps which includes the unexpected and improved culturing step in the last stage which begins 10 hours from the end of fermentation whereby a carbon source is added at a specific concentration below the rate of consumption. The references alone or in combination do not anticipate or suggest or motivate one to employ the series of process steps. Thus, Claims 36-44, 49 and 53-54 are allowed over the art of record.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HERBERT J. LILLING whose telephone number is 571-272-0918. The examiner can normally be reached on WORK AT HOME MAXIFLEX.

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